

LIBELED: On or about 1-3-55, S. Dist. W. Va.

CHARGE: 402(a)(3)—contained rodent filth; and, 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-21-55. Consent—claimed by Williamson Grocery Co. 22 100-lb. bags of pinto beans destroyed; flour converted to animal feed.

22092. Pickles. (F. D. C. No. 37592. S. Nos. 12-817/8 M.)

QUANTITY: 42 cases, 24 1-pt. cans each, and 69 cases, 24 1-qt. cans each, at Philadelphia, Pa.

SHIPPED: 3-5-54 and 6-18-54, from Cheswold, Del.

LIBELED: 1-10-55, E. Dist. Pa.

CHARGE: 402(a)(3)—contained decomposed substance while held for sale.

DISPOSITION: 3-28-55. Default—destruction.

TOMATOES AND TOMATO PRODUCTS

22093. Canned tomatoes. (F. D. C. No. 34512. S. No. 55-537 L.)

QUANTITY: 1,497 cases, 24 unlabeled No. 2 cans each, at Albion, N. Y.

SHIPPED: In 1951 or 1952, from Indiana.

LIBELED: 12-22-52; amended 5-8-53; W. Dist. N. Y.

CHARGE: 402(a)(3)—contained decomposed tomato material while held for sale.

DISPOSITION: The Orleans County Canning Co., a partnership, Albion, N. Y., claimant, filed an answer denying that the product was shipped in interstate commerce, or was adulterated, as alleged in the amended libel. The claimant and the Government served interrogatories upon each other, which were answered. A request for admissions also was served upon the claimant, but was not answered. Subsequently, the claimant withdrew his answer; and, on 9-10-54, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the unfit portion. Thereafter, 682 cases were segregated as unfit and were destroyed.

22094. Tomato paste. (F. D. C. No. 37659. S. No. 16-048 M.)

QUANTITY: 6 cases, 100 6½-oz. cans each, at Seattle, Wash.

SHIPPED: 10-16-53, from New York, N. Y.

RESULTS OF INVESTIGATION: The article was undergoing chemical decomposition.

LIBELED: 2-15-55, W. Dist. Wash.

CHARGE: 402(a)(3)—contained decomposed substance while held for sale.

DISPOSITION: 6-24-55. Default—consumption by animals.

NUTS *

22095. Shelled almonds. (F. D. C. No. 36722. S. No. 11-020 L.)

QUANTITY: 10 110-lb. bags at Dayton, Ohio.

SHIPPED: 1-10-51 and 2-1-51, from New York, N. Y.

LIBELED: 4-22-54, S. Dist. Ohio.

* See also No. 22071.